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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,248	10/23/2003	Ulrich Bardolatzy	P03,0461	9438
26574	7590	04/01/2005	EXAMINER	
SCHIFF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER CHICAGO, IL 60606-6473			GLEITZ, RYAN M	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/692,248	BARDOLATZY ET AL.	
	Examiner	Art Unit	
	Ryan Gleitz	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/23/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure. The form and legal phraseology often used in patent claims, such as "comprises," "means," and "said," should be avoided. See Abstract, line 2.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following must be shown or the feature(s) canceled from the claim(s):

“a storage card, biometric features” (claims 7 and 18);
fields or items “shown deactivated” (claims 9, 20, and 24); and
“a low-contrast color” (claims 10 and 21).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet”

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pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 12-19, 23, 25, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Oishi et al. (JP 2002-152446).

Oishi et al. disclose an operating unit for an electrophotographic printing or copying system, including a display part (15) or graphical user interface with at least one of input and output fields with help of which an operation of the electrophotographic printing or copying system occurs.

A menu is displayed based on menu display retrieved for that user according to the identified user, and permits the user to use only the functions included in the displayed menu (abstract, lines 7-9). This reads on a user account selectable from at least two preset user accounts and a setting of at least one of the input and output fields of the graphical user interface is adjusted for at least one user account.

Regarding claim 2, the procedure which displays a menu on a display means based on the menu discernment data for the users searched from the menu indicative data by the user name of the user who discriminated from the procedure of identifying the user of the image formation

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system (translation, paragraph [0038]), which reads on the setting concerns at least one of display, write authorization, language, activation, deactivation, and display manner of the at least one input and output field.

Regarding claims 3 and 4, figure 2 shows at least one of a name of a currently set user account and a name of a user associated with the user account is displayed in a section of the graphical user interface, wherein a name of a user is associated with at least one user account, whereby the selection of the user account occurs with aid of the user name.

Regarding claim 5, operating personnel at least one of inputs and selects the user name, whereby the operating personnel receives access to operating elements of the graphical user interface. See translation, paragraph [0019].

Regarding claims 6 and 7, the user must enter a password, as shown in figure 2, which reads on the user account is selectable after checking an authentication code.

Regarding claim 8, more suitable management can be performed as each user receives function authorization (translation, paragraph [0040]), which reads on a preset authorization level is associated with the user account.

Regarding claims 12-19, 23 and 25 the apparatus above also reads on a method of operating an electrophotographic printing or copying system.

Claims 1-10, 12-21, 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Katsuta (JP 06-130766).

Katsuta discloses an operating unit for an electrophotographic printing or copying system, including a graphical user interface shown in figure 5 with at least one of input and

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output fields with help of which an operation of the electrophotographic printing or copying system occurs.

A desired function is previously selected according to the level of the user (abstract, lines 4-5), which reads on a user account selectable from at least two preset user accounts and a setting of at least one of the input and output fields of the graphical user interface is adjusted for at least one user account.

Regarding claim 2, 4, 8, 9, and 10, the level of the user decides what functions are available and the unavailable functions are shown shaded out in figure 5, which reads on the setting concerns display, and depending on the authorization level associated with the user account, at least one of display fields and input fields are deactivated and shown in a low-contrast color. A user can be recognized from an inputted password (abstract, lines 6-9), which reads on a user name is associated with a preset user account type to generate a user account, whereby a preset authorization level is associated with the user account.

Regarding claims 3 and 5, figure 8 shows at least one of a name of a currently set user account and a name of a user associated with the user account is displayed in a section of the graphical user interface, which is inputted or selected by operating personnel.

Regarding claims 6 and 7, the password (abstract, line 7) reads on an authentication code, wherein the user account is selectable after checking an authentication code.

Regarding claim 12-21, and 23-25, the apparatus above also reads on a method of operating an electrophotographic printing or copying system.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuta (JP 06-130766) in view of Rzepkowski et al. (US 6,697,091).

Katsuta discloses the method and apparatus above including graphical function keys, input and output fields, and menu items, as shown in figures 4-8, but do not expressly disclose check boxes or graphical shift regulators.

However, Rzepkowski et al. disclose the operation pane of an image forming apparatus in figure 6, including a check box (526) and a shift regulator (480) to control a preview pane.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image forming apparatus and method of Katsusta with the check box and shift regulator controlling a preview pane taught by Rzepkwoski et al.. The suggestions for doing would have been check boxes allow options to be easily selected and deselected and shift

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registers allow quick and easy scrolling. Also, Rzepkwoski et al. teach that the preview pane allows users to detect when an original document is incorrectly loaded. See abstract.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Gleitz whose telephone number is (571) 272-2134. The examiner can normally be reached on Monday-Friday between 9:00AM and 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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